



July 2, 2008

***EX PARTE PRESENTATION***

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Portals II, Room TW-A325  
Washington, DC 20554

**Re:   *Commission's Rules and Policies Governing Pole Attachments  
WC Docket No. 07-245.***

Dear Ms. Dortch:

On July 1, 2008, I met with Dan Gonzalez and Amy Bender of Chairman Martin's office. We discussed US Telecom's filings and data that we and others have provided in the record of this proceeding as well as possible approaches to achieving parity in the treatment of broadband attachments. In addition, on July 2, 2008, I had a telephone conversation with Amy Bender concerning the same topics. I provided the attached document to Ms. Bender.

Sincerely,

Jonathan Banks  
Senior Vice President, Law & Policy

cc:   Amy Bender  
      Dan Gonzalez

# Current Pole Rate Formulas

## Rate Formulas

### CABLE

$$\left( \frac{\text{Space Occupied (1')}}{\text{Usable Space (13.5')}} \right) \times \text{Pole Cost}$$

## Result of Formulas

Cable pays for 7.4% of the total pole cost, i.e., 7.4% (1') of usable space and 7.4% (1.8') of unusable space.

### URBAN CLEC

$$\frac{\text{Space Occupied (1')} + \left( \frac{2}{3} \times \frac{\text{Unusable Space (24.0')}}{5 \text{ Attaching Entities}} \right)}{\text{Pole Height (37.5')}} \times \text{Pole Cost}$$

Urban CLECs pay for 7.4% (1') of usable space and 13.3% (3.2') of unusable space, or 11.2% of the total pole cost.

### RURAL CLEC

$$\frac{\text{Space Occupied (1')} + \left( \frac{2}{3} \times \frac{\text{Unusable Space (24.0')}}{3 \text{ Attaching Entities}} \right)}{\text{Pole Height (37.5')}} \times \text{Pole Cost}$$

Rural CLECs pay for 7.4% (1') of usable space and 22.2% (5.3') of unusable space, or 16.9% of the total pole cost.

## Portion of Cost of Pole Paid by Cable and CLECs Under Current Formulas

Attaching Entity	Usable Space (13.5')		Unusable Space (24')		Total Space (37.5')		Effective Number of Slots for Attachments Implied by Formula (Reciprocal of Portion of Total Paid)
	Feet	%	Feet	%	Feet	%	
Rural CLEC	1'	7.4%	5.3'	22.2%	6.3'	16.9%	6
Urban CLEC	1'	7.4%	3.2'	13.3%	4.2'	11.2%	9
Cable	1'	7.4%	1.8'	7.4%	2.8'	7.4%	13

Source: USTelecom Analysis of Rate Formulas

